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**Birch, Stewart, Kolasch & Birch, LLP**

# Fax

To:	<b>USPTO</b>	From:	<b>BSKB</b>
Fax:	(571) 273-8300	Pages:	11 ( <u>including cover sheet</u> )
Application No(s):	10/534,257	Our Ref(s):	1110-0326PUS1
Subject:	Request for a Corrected Official Filing Receipt		

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PATENT  
1110-0326PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): FURUSAKO, Shoji et al. Conf.: 4508  
Appl. No.: 10/534,257 Group: Unknown  
Filed: May 10, 2005 Examiner: Unknown  
For: ASSAY KIT AND ANTIBODY FOR HUMAN LOW  
MOLECULAR WEIGHT CD14

REQUEST FOR A CORRECTED OFFICIAL FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

MAY 11 2007

Sir:

Attached hereto is the Official Filing Receipt in connection  
with the above-identified application.

THE FOLLOWING CORRECTION(S) IS/ARE RESPECTFULLY REQUESTED:

DOMESTIC PRIORITY DATA AS CLAIMED BY APPLICANT

Change From: "PCT/JP03/14369"

TO: --PCT/JP03/14389--

It is respectfully requested that the U.S. Patent and  
Trademark Office forward/issue a new Filing Receipt with the  
correction(s) indicated above. Support for the correction(s) is  
readily apparent on the enclosed photocopy of the Declaration and  
Power of Attorney and forms PCT/IB/304 and PCT/IB/308 documents.

If necessary, the Commissioner is hereby authorized in this,  
concurrent, and future replies, to charge payment or credit any

Appl. No. 10/534,257

overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By MaryAnne Armstrong, #40,069

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

MAA/yp  
1110-0326PUS1

Attachment(s)

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371(C) DATE	ART UNIT	FIL FEE RECD	ATTY.DOCKET NO	TOT CLMS	IND CLMS
10/534,257	05/10/2005	1645	2250	1110-0326PUS1	22	8

CONFIRMATION NO. 4508

2292  
 BIRCH STEWART KOLASCH & BIRCH  
 PO BOX 747  
 FALLS CHURCH, VA 22040-0747

## FILING RECEIPT



\*OC000000022286324\*

Date Mailed: 03/20/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Shoji Furusako, Shizoka, JAPAN;  
 Kamon Shirakawa, Shizuoka, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 02292.

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MAR 23 2007

B.S.K.B., LLP

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/14369 11/12/2003

## Foreign Applications

JAPAN 2002-328866 11/12/2002  
 JAPAN 2003-330775 09/22/2003

If Required, Foreign Filing License Granted: 01/31/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/534,257

Projected Publication Date: 05/10/2007

Non-Publication Request: No

Early Publication Request: No

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Assay kit and antibody for human low molecular weight cd14

MAY 11 2007

Preliminary Class  
530**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an International application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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# COPY

ATTORNEY DOCKET NO. 1110-0326PUS1

PTO/SB/106 (5-00)

Approved for use through 10/31/02. GMB 0631-0102

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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## Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named Inventor, I hereby declare that

私の住居、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名前の発明について、特許登録範囲に記載され、且つ発明が認められている発明主題に向いて、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole Inventor (if only one name is listed below) or an original, first and joint Inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ASSAY KIT AND ANTI BODY FOR HUMANLOW MOLECULAR WEIGHT CD14

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない：

the specification of which is attached hereto unless the following box is checked

November 12, 2003 の日に出願され、  
 この出願の米国出願番号またはPCT国際出願番号は、  
PCT/JP03/14189 であり、且つ  
\_\_\_\_\_ の日に補正された出願（該当する場合）

was filed on November 12, 2003  
 as United States Application Number or  
 PCT International Application Number  
PCT/JP03/14189 and was amended on  
\_\_\_\_\_ (if applicable).

私は、上記の補正書によって否認された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに声明する。

I hereby state that I have reviewed and understand the contents of  
 the above identified specification, including the claims, as amended  
 by any amendment referred to above.

私は、連邦規則法典第37号規則1.56に定められている、特許権について重要な情報を明示する義務があることを認める。

I acknowledge the duty to disclose information which is material to  
 patentability as defined in Title 37, Code of Federal Regulations,  
 Section 1.56.

**Duration Statement:** This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

Page 1 of 3

ATTORNEY DOCKET NO. 11440-326PUS1

PTO/SNIV106 (5-00)

Approved for use through 10/21/02 OMB 6651-0032

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**Japanese Language Declaration**  
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私は、ここに、以下に記載した外国での特許出願または現行在中の出願、或いは米国外の少なくとも一国を相応している米国法第35条第365(a)によるPCT国際出願について、同第119条(a)-(d)項又は第366(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日よりも前の出願日を有する外国での特許出願または発明者名の出願、或いはPCT国際出願については、いかなる出願も、下記の内容をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119(p)-(d) or 365(a) of any foreign application(s) for patent or inventor's certificate, or 366(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

**Prior Foreign Application(s)**  
外国での先行出願

2002-328866  
(Number)  
(番号)

2003-330775  
(Number)  
(番号)

Japan  
(Country)  
(国名)

Japan  
(Country)  
(国名)

12 / November / 2002  
(Day/Month/Year Filed)  
(出願日/月/年)

22 / September / 2003  
(Day/Month/Year Filed)  
(出願日/月/年)

**Priority Not Claimed**  
優先権主張なし

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法第35条第119条(a)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(a) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法第35条第120条に基づく利益を主張し、又米国を相応するいかなるPCT国際出願についても、その同第365(a)に基づく利益を主張する、また、本出願の特許請求の範囲の主張が、米国法第35条第112条第1段に規定された範囲で、先行する米国出願又はPCT国際出願に開示されていない場合は、その先行出願のPCT国際出願に開示された範囲ととの間の期間の期間中に入手出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、並列規則米国法第37条規則1、86に定められた特許料に付随する重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, filed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(状況: 特許許可、保証中、放棄)

(Application No.)  
(出願番号)

(Filing Date)  
(出願日)

(Status: Patented, Pending, Abandoned)  
(状況: 特許許可、保証中、放棄)

私は、ここに表明された私自身の知識に任せる限りが真実であり、且つ信頼と信じることにまづく眞述が、真実であると信じられることを宣言し、さらに、故意に虚偽の眞述などを行った場合は、米国法第35条第1001条に基づき、罰金または刑罰、若しくはその両方により懲罰され、またそのような故意による虚偽の眞述は、本出願またはそれに付随するいかなる特許も、その有効性に問題が生ずることを以示した上で眞述が行われたことを、ここに宣誓する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

ATTORNEY DOCKET NO. 1110-0326PUS1

PTO-854 (11-04)

Approved for use through 10/31/02. GMBH D03-0012

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The practitioners at BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 2292

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and conduct all business in the Patent and Trademark Office connected therewith (full name and registration number).

本代理人宛

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or CUSTOMER NO. 2292  
P.O. Box 747 • Falls Church, VA 22040-0747 • U.S.A.  
Telephone: 703-205-8000 • Facsimile: 703-205-8050

改進者或発明者：（氏名及び登録番号）

Direct Telephone Call to: (Name and telephone number)

第一または第一発明者氏名 <i>Shoji Tsurusako ST/</i>	Full name of sole or first inventor Shoji TURUSAKO
発明者の誕生日	Inventor's signature <i>Shoji Tsurusako</i>
住所	Date May 6, 2005
国籍	Residence Shizuoka, Japan
郵便の宛先	Citizenship Japanese
Post Office Address c/o Mochida Pharmaceutical Co., Ltd.	
第二共同発明者のいる場合、その氏名 Kamon SHIBAKAWA	7, Yotsuya 1-chome, Shinjuku-ku, Tokyo 160-8315 Japan
第二共同発明者の氏名 Kamon SHIBAKAWA	Full name of second joint inventor, if any Kamon SHIBAKAWA
住所	Second Inventor's signature <i>Kamon SHIBAKAWA</i>
国籍	Date May 6, 2005
郵便の宛先	Residence Shizuoka, Japan
	Citizenship Japanese
	Post Office Address c/o Mochida Pharmaceutical Co., Ltd.
	7, Yotsuya 1-chome, Shinjuku-ku, Tokyo 160-8315 Japan
(第三以下の共同発明者についても同様に記載し、署名を すること)	(Supply similar information and signature for third and subsequent joint inventors.)

COPY

PCT/JP2003/014389

## PATENT COOPERATION TREATY

PCT

NOTIFICATION CONCERNING  
SUBMISSION OR TRANSMITTAL  
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

Date of mailing (day/month/year) 13 January 2004 (13.01.2004)	To:  WATANABE, Mochitoshi Hayakawa-tonakai Bldg. 2F 12-6, Iwamoto-cho 2-chome Chiyoda-ku, Tokyo 101-0022 Japan
Applicant's or agent's file reference PCT222	
International application No. PCT/JP2003/014389	International filing date (day/month/year) 12 November 2003 (12.11.2003)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 12 November 2002 (12.11.2002)
Applicant MOCHIDA PHARMACEUTICAL CO., LTD. et al	

From the INTERNATIONAL BUREAU

To:  WATANABE, Mochitoshi Hayakawa-tonakai Bldg. 2F 12-6, Iwamoto-cho 2-chome Chiyoda-ku, Tokyo 101-0022 Japan
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## IMPORTANT NOTIFICATION

1. By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. (If applicable) The letters "NR" appearing in the right-hand column denote a priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
3. (If applicable) An asterisk (\*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b) (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
12 Nov 2002 (12.11.2002)	2002/328866	JP	09 Janu 2004 (09.01.2004)
22 Sept 2003 (22.09.2003)	2003/330775	JP	09 Janu 2004 (09.01.2004)

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. (41-22) 338.70.10	Authorized officer  Eric SANSON (Fax 338 7010)  Telephone No. (41-22) 338 9999  S
--	---

Form PCTAB/304 (January 2004)

008048316

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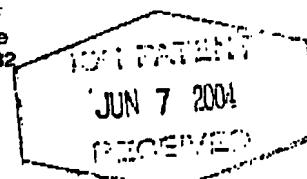
PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

**PCT**NOTICE INFORMING THE APPLICANT OF THE  
COMMUNICATION OF THE INTERNATIONAL  
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

To:

WATANABE, Mochiyoji  
Hayakawa-tonakai Bldg. 3F  
12-5, Iwamoto-cho 2-chome  
Chiyoda-ku, Tokyo 101-0032  
JAPONDate of mailing (day/month/year)  
27 May 2004 (27.05.2004)Applicant's or agent's file reference  
PCT222**IMPORTANT NOTICE**International application No.  
PCT/JP2003/014389International filing date (day/month/year)  
12 November 2003 (12.11.2003)Priority date (day/month/year)  
12 November 2002 (12.11.2002)

Applicant

MOCHIDA PHARMACEUTICAL CO., LTD. et al

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 30, the international application to the following designated Offices on the date indicated above as the date of mailing of this notice:

AU, AZ, BY, CH, CN, CO, DZ, EP, HU, JP, KG, KP, KR, MD, MK, MZ, RU, TM, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AE, AG, AL, AM, AP, AT, BA, BB, BG, BR, BZ, CA, CR, CU, CZ, DE, DK, DM, EA, EG, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, ID, IL, IN, IS, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MG, MN, MW, MX, NL, NO, NZ, OA, OM, PG, PH, PL, PT, RO, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, UZ, VC, VN, YU, ZA, ZM, ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-b)).

3. Enclosed with this notice is a copy of the international application as published by the International Bureau on  
27 May 2004 (27.05.2004) under No. WO 2004/044009

**TIME LIMITS for filing a demand for international preliminary examination and for entry into the national phase**

The applicable time limit for entering the national phase will, subject to what is said in the following paragraph, be 30 MONTHS from the priority date, not only in respect of any elected Office if a demand for international preliminary examination is filed before the expiration of 19 months from the priority date, but also in respect of any designated Office, in the absence of filing of such demand, where Article 22(1) as modified with effect from 1 April 2002 applies in respect of that designated Office. For further details, see *PCT Gazette* No. 44/2001 of 1 November 2001, pages 19926, 19932 and 19934, as well as the *PCT Newsletter*, October and November 2001 and February 2002 issues.

In practice, time limits other than the 30-month time limit will continue to apply, for various periods of time, in respect of certain designated or elected Offices. For regular updates on the applicable time limits (20, 21, 30 or 31 months, or other time limit), Office by Office, refer to the *PCT Gazette*, the *PCT Newsletter* and the *PCT Applicant's Guide*, Volume II, National Chapters, all available from WIPO's Internet site, at <http://www.wipo.int/pct/en/index.html>.

For filing a demand for international preliminary examination, see the *PCT Applicant's Guide*, Volume II/A, Chapter IX. Only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination (at present, all PCT Contracting States are bound by Chapter II).

It is the applicant's sole responsibility to monitor all these time limits.

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Masashi Honda

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